

demnation of 2 dozen bottles of Creosotono at San Juan, P. R., alleging that the article had been shipped by G. J. Fajardo, New York, N. Y., on or about March 20, 1927, from the State of New York into Porto Rico, and that it was being offered for sale and sold in Porto Rico by Serra, Garabis & Co. (Inc.), San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of creosote, quinine, strychnine, and phosphates.

It was alleged in the libel that the article was misbranded in that the following statements, borne on the labeling, regarding the curative and therapeutic effects of the said article were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed: (Translation of Spanish on bottle label) "For * * * Tuberculosis * * * All Kinds of Catarrhs of the Respiratory Organs * * * A Reconstituent in Convalescence after Fevers and Inflammatory Conditions of the Respiratory Organs."

On May 10, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16529. Adulteration and misbranding of Casco cascara bromide quinine laxative tablets. U. S. v. 26 Dozen Packages of Casco Cascara Bromide Quinine Laxative Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23399. I. S. No. 01549. S. No. 1520.)

On February 15, 1929, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 26 dozen packages of Casco cascara bromide quinine laxative tablets, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Casco Co., from Canton, Ohio, in part on or about January 4, 1929, and in part on or about January 9, 1929, and transported from the State of Ohio into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets consisted essentially of acetanilide (0.28 grain per tablet), phenolphthalein, quinine, extracts of plant drugs including a laxative drug, a trace of bromide, and starch.

It was alleged in the libel that the article was adulterated in that its strength or purity fell below the standard under which it was sold, namely, (carton) "Each Tablet Contains ½-grain Acetanilid."

Misbranding was alleged for the reason that the statement on the package, "Each Tablet Contains ½-grain Acetanilid," was false and misleading. Misbranding was alleged for the further reason that the package failed to bear a statement on the label of the quantity or proportion of acetanilide contained therein. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (carton) "Relieves * * * La Grippe within 24 hours * * * These tablets work directly on the liver," (display carton) "Will Relieve * * * La Grippe within 24 Hours," (circular) "Two tablets every three or four hours * * * until * * * the cough is relieved * * * then one tablet three times a day until cured. * * * Neglected colds lead to pneumonia and pneumonia is not to be trifled with. Take no chances on ruining your heart action in order to cure your cold. * * * Casco The Harmless Remedy," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On June 18, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*